

Order

Michigan Supreme Court
Lansing, Michigan

December 8, 2006

Clifford W. Taylor,
Chief Justice

130917
(59)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

RANDALL L. ROSS,
Plaintiff-Appellee,

v

SC: 130917
COA: 262167
Macomb CC: 2004-001913-CK

AUTO CLUB GROUP,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's August 29, 2006 order is considered, and it is GRANTED. We VACATE our order dated August 29, 2006. On reconsideration, the application for leave to appeal the January 3, 2006 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(G)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing whether the Court of Appeals correctly affirmed the trial court's award of attorney fees to plaintiff pursuant to MCL 500.3148(1). The parties should avoid submitting a mere restatement of the arguments made in their application papers.



11205

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 8, 2006

Corbin R. Davis

Clerk